

DANIEL G. BOGDEN
United States Attorney
ELHAM ROOHANI
Nevada Bar #12080
LISA CARTIER-GIROUX
Nevada Bar #14040
Assistant United States Attorneys
501 Las Vegas Blvd. South, Suite 1100
Las Vegas, Nevada 89101
(702) 388-6336
elham.roohani@usdoj.gov
lisa.cartier-giroux@usdoj.gov

Attorneys for Plaintiff
United States of America

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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GOVERNMENT'S OF AMERICA,)	
)	Case No. 2:16-CR-00100-GMN-CWH
Plaintiff,)	
)	GOVERNMENT'S PROPOSED
vs.)	VOIR DIRE
)	
JAN ROUVEN FUECHTENER,)	
)	
Defendant.)	
)	
)	

COMES NOW the Plaintiff, UNITED STATES OF AMERICA, by and through its counsel, Daniel G. Bogden, United States Attorney, and Elham Roohani and Lisa Cartier-Giroux, Assistant United States Attorneys, files its proposed voir dire questions. In addition to the standard voir dire questions routinely asked, the Government respectfully requests that leave be granted to counsel to submit supplemental questions of the prospective jurors.

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1 1. Do you know anything at all about the facts of this case?

2 2. Have you heard anything about this case since you arrived at the
3 courthouse?

4 3. Have you, any member of your family, or a close friend ever been
5 accused of crime?

6 a) If yes, will that experience affect your ability to be fair and
7 impartial in this case?

8 4. Have you, or has anyone close to you, ever been a victim of a crime? If
9 “yes,” what type of crime?

10 a) What was the outcome of the case?

11 b) Is there anything about your experience as a victim, or knowing
12 a victim a crime, that would not make you a fair and impartial juror in this
13 case?

14 5. Are you, or is any member of your immediate family now, or have they
15 ever been, an official or employee of the Government of the United States, or of any
16 federal agency? If yes, please explain.

17 6. Have any of you, or your family, or close friends ever had, or do you
18 presently anticipate having, any lawsuit, case or dispute against the United States
19 or any other Government agency? If yes, please explain.

20 a) Was the matter satisfactorily resolved in your mind?

21 b) Do you have any feelings of dissatisfaction? Please explain.

22 7. Do any of you, or your family, or close friends belong to any group
23 which finds itself at odds with the government, such as a paramilitary, citizen’s
24

1 militia, or tax protest group? If yes, will that affect your ability to be fair and
2 impartial?

3 a) Have any of you, or your family, or close friends attended any
4 meetings of such a group? If yes, will that affect your ability to be fair and
5 impartial?

6 8. This case was investigated by the Federal Bureau of Investigation, and
7 the Department of Homeland Security. Have any of you had any experience with
8 these agencies, or do you have any attitudes about the people who work for these
9 agencies that might prevent you from being fair and impartial to either the
10 Government or the Defendant in this case?

11 9. Are you or any member of your family employed by any lawyer, law
12 enforcement agency, or anyone associated with the courts, corrections or criminal
13 justice system, no matter how remotely?

14 10. Do any of you know anyone who works for any federal law enforcement
15 agency? If yes, will that affect your ability to be fair and impartial to either the
16 Government or the Defendant?

17 11. Have any of you, or any member or your family ever been interviewed
18 by law enforcement authorities, other than for a minor traffic infraction? If yes,
19 please state the approximate date and circumstances. (You may approach sidebar to
20 do this if you prefer).

21 a) Was there anything about the contact with law enforcement
22 authorities which would affect your ability to be fair and impartial in a case
23 such as this?

1 feelings you may have about the material, and fairly consider the evidence to
2 consider whether this defendant is guilty of any of the charges. Will the mere
3 subject matter of this case affect the ability of any of you to listen and later fairly
4 discuss the evidence with the other jurors?

5 16. In this case, the evidence is likely to include explicit references to male
6 and female genitalia and to various sexual acts. Is there anyone who believes that
7 he or she would be so embarrassed or uncomfortable by such evidence that they
8 could not follow the court's instructions to deliberate in a fair and impartial
9 manner?

10 17. Do any of you harbor any strong belief, or feeling, that pornography
11 depicting minors, that is, persons under the age of 18 years, in sexually explicit
12 conduct is protected in any way by the First Amendment?

13 a) I can assure you that under the laws of the United States it is
14 not. Would any of you have any difficulty following the Court's instructions
15 on the law in that regard?

16 18. Do any of you have strong opinions regarding whether the internet is
17 subject to the appropriate level of regulation? If yes, please explain.

18 19. The Court will instruct you on the law. Will you follow the law as
19 provided by the Court, even if the law is inconsistent with or contrary to your
20 personally held beliefs or values?

21 20. This case involves allegations that a computer was used to access,
22 possess, receive, distribute, and advertise child pornography over the internet. Is
23 there anyone on the jury panel who HAS NOT used a computer to access the

1 internet? It is not necessary that you have any special knowledge of computers to
2 set on this jury panel, however do you believe there is anything about your lack of
3 familiarity with computers or the internet that would make you uncomfortable or
4 less likely to engage in discussions with other jurors about the evidence in this case?

5 21. Have you ever possessed or used a web camera ("web cam")? If yes,
6 have you ever sent your own image over the Internet using a web cam?

7 22. Do you have any training in the field of computers, or specialized
8 knowledge of computers, the Internet, computer programming, networking, etc.? If
9 yes, please explain.

10 23. Have you ever signed on to a "peer-to-peer" network on the Internet,
11 such as Gnutella, BitTorrent, LimeWire, Grokster, Gigatribe, etc? If so, what were
12 the name (or subjects) of the chat rooms or channels?

13 24. Are you familiar with or have you ever used the social media
14 applications such as Tinder or Grindr? If yes, please explain.

15 25. Do you favor more or less government control over the availability of
16 sexual material on the Internet?

17 Dated this 6th day of October, 2016.

18 DANIEL G. BOGDEN
19 United States Attorney

20 //s//

21 ELHAM ROOHANI
22 LISA CARTIER-GIROUX
23 Assistant United States Attorneys